

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**UNITED STATES OF AMERICA**

**v.**

**HATCHET M. SPEED,**  
***Defendant.***

)  
)  
)  
)  
)  
)

**Case No. 1:22-cr-00165-MSN**  
**Hon. Michael S. Nachmanoff**

**DEFENDANT'S RESPONSE TO THE GOVERNMENT'S  
NOTICE OF INTENT TO INTRODUCE 404(b) EVIDENCE**

COMES NOW the defendant, Hatchet M. Speed, by counsel Courtney Dixon and Brooke Rupert, and files this Response to the Government's Notice of Intent to Introduce 404(b) Evidence regarding Mr. Speed's purchase of registered silencers in June 2020 and February 2021. The government contends that this evidence is admissible under Fed. R. Evid. 404(b) because it shows the defendant's knowledge of the characteristics of a silencer, and his absence of mistake in purchasing three unregistered silencers from Hawk Innovative Tech in March 2021. The defense does not dispute admitting this evidence on the grounds stated by the government.

Separately, however, Mr. Speed may seek to introduce the same evidence under Fed. R. Evid. 404(b) to show Mr. Speed's lack of motive (i.e., he had no reason to hide his possession of silencers from the government because he had already affirmatively registered his ownership of other silencers), and intent (to comply with the NFA when required). While a defendant, unlike the government, is under no obligation to provide advance notice of acts that he intends to introduce under Rule

404(b), Mr. Speed would like to put the Court and the government on notice as a courtesy.

### **CONCLUSION**

For the foregoing reasons, the Court should admit evidence of Mr. Speed's purchase of regulated silencers in June 2020 and February 2021.

Respectfully submitted on January 6, 2023.

### **HATCHET SPEED**

by counsel:

Jeremy C. Kamens  
Federal Public Defender for the  
Eastern District of Virginia

by: /s/  
Courtney Dixon  
*Pro hac vice*  
DC Bar No. 1766415  
Assistant Federal Public Defender  
1650 King Street, Suite 500  
Alexandria, Virginia 22314  
Telephone: (703) 600-0800  
Facsimile: (703) 600-0880  
courtney\_dixon@fd.org

Brooke Rupert  
VA Bar No. 79729  
Assistant Federal Public Defender  
1650 King Street, Suite 500  
Alexandria, Virginia 22314  
Telephone: (703) 600-0800  
Facsimile: (703) 600-0880  
brooke\_rupert@fd.org